

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

WILLIAM ZANES, *et al.*,

Plaintiffs,

v.

FLAGSHIP RESORT DEVELOPMENT,
LLC, t/a and/or d/b/a FANTA
SEA RESORTS, FANTA SEA
RESORTS, and JOHN DOES 1-5,
and 6-10,

Defendants.

HONORABLE JOSEPH E. IRENAS

CIVIL ACTION NO. 09-3736
(JEI/JS)

ORDER

APPEARANCES:

COSTELLO & MAINS, P.C.
By: Deborah L. Mains, Esq.
18000 Horizon Way, Suite 800
Mount Laurel, New Jersey 08054
Counsel for Plaintiffs

COOPER LEVENSON APRIL NIEDELMAN & WAGENHEIM, P.A.
By: Russell Lichtenstein, Esq.
Alison Tomljenovic, Esq.
125 Atlantic Ave, 3rd Floor
Atlantic City, New Jersey 08401
Counsel for Defendants

IRENAS, Senior District Judge:

This matter having appeared before the Court upon Judge Schneider's Report and Recommendation (Dkt. No. 141) on the Defendant's Motion to Dismiss (Dkt. No. 99); the Court having reviewed Judge Schneider's Report and Recommendation; and no objections having been submitted by the parties; and for good cause appearing;

IT IS on this 22nd day of February, 2012,

ORDERED THAT:

1. The Report and Recommendation of Judge Schneider (Dkt. No. 141) is hereby **ADOPTED**.

2. Defendant's Motion to Dismiss the claims of Plaintiffs AStick, Alston, Malter and Moore (Dkt. No. 99) is hereby **GRANTED**.

3. Defendant's Motion for attorneys fees and costs is hereby **DENIED**.

s/Joseph E. Irenas
JOSEPH E. IRENAS, S.U.S.D.J.